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In re Application of SEVILLANO GIL :
U.S. Application No.: 10/541,958 :
PCT Application No.: PCT/ES04/00084 :
Int. Filing Date: 24 February 2004 : COMMUNICATION
Priority Date Claimed: 23 May 2003 :
Attorney Docket No.: CUC-138 :
For: LOCKING SYSTEM FOR FURNITURE :
DRAWERS :

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 24 February 2004, applicant filed international application PCT/ES04/00084, which claimed priority of an earlier Spain application filed 23 May 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 02 December 2004. The thirty-month period for paying the basic national fee in the United States expired on 23 November 2005.

On 08 July 2005, the United States Designated/Elected Office (DO/EO/US) received national stage papers for international application PCT/ES04/00084 from the above-identified law firm. The Transmittal Letter identified the attorney docket number as "CUC-138". The papers were assigned the above-identified U.S. application number.

On 26 July 2005, DO/EO/US received national stage papers international application PCT/ES04/00084 from the above-identified law firm. The Transmittal Letter identified the attorney docket number as "CUC-136". The papers were assigned U.S. application number 10/543,665.

DISCUSSION

The submission of two different sets of application papers to enter the national stage in the United States was improper.

CONCLUSION

For the reasons above, the serialization of U.S. application number 10/543,665 is hereby VACATED.

If reconsideration on the merits of this communication is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision. A proper response would include a petition under 37 CFR 1.182 along with the requisite \$400.00 petition fee.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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